

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1248 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- UJIYARPUR District- Samastipur

1. MD. MUSTKIM @ MD. MOSTKIM, aged about 25 years, Male, SON OF MD. HAKIM
 2. KHAITUN KHATOON, aged about 55 years, Female, WIFE OF MD. HAKIM
 3. AFSANA KHATOON, aged about 32 years, Female, WIFE OF MD. MUKIM
 4. MD. MOJIM, aged about 23 years, Male, SON OF MD. HAKIM
- All are RESIDENT OF VILLAGE- BAJITPUR, P.S. UJIARPUR,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Lakshmindra Kumar Yadav, learned counsel appearing on behalf of the petitioners and Mr. Zainul Abedin, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Ujiarpur P.S. Case No. 283 of 2023 dated 02.08.2023 registered for the offence(s) punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons including the petitioners assaulted the informant and his



sister-in-law, wife of his younger brother, causing head injury with an intention to kill.

4. Learned counsel appearing on behalf of the petitioners submitted that general and omnibus allegation has been made against petitioner nos.1, 2 and 3, while specific allegation has been made against petitioner no.4 that he had assaulted the sister-in-law of the informant, with *farsa* on her head.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submission made on behalf of the parties, as well as, the fact there is general and omnibus allegation against petitioner nos.1, 2 and 3, as would appear from FIR, and as such, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsinghsarai, District, Samastipur in connection with Ujiarpur P.S. Case No. 283 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. So far as petitioner no.4 (Md. Mojim) is



concerned, if he is so advised, he may surrender before the District Court for seeking regular bail. In that case, the District Court is directed to consider the bail application of the petitioner no.4 on the same day and pass necessary order on the basis of evidence collected in course of investigation.

8. With the aforesaid observation/direction, the application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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